

MINUTES OF THE MEETING  
OF THE CITY COUNCIL OF THE  
CITY OF BURLINGTON  
January 16, 2007  
9:00 A.M.

The City Council of the City of Burlington held a regularly scheduled meeting in the Council Chamber, Municipal Building, 425 South Lexington Avenue, Burlington, N. C., 27216-1358, on January 16, 2007, at 9:00 a.m.

Mayor Stephen M. Ross presided

Councilmembers present: Mayor Ross, Councilmembers Jones, Huffman and Wall

Councilmember absent: Starling

Harold Owen, City Manager, present

Robert M. Ward, City Attorney, present

Jondeen D. Terry, City Clerk, present

PROCLAMATION: "Dr. Martin Luther King, Jr. Remembrance Day"

RECOGNITION: NC State High School Athletic Association - Class  
2A Football Champions - Cummings High School

MINUTES

Mayor Ross called for approval of the City Council minutes of the meeting of January 2, 2007.

Upon motion by Councilmember Wall, seconded by Councilmember Jones, it was resolved unanimously to approve the minutes of the meeting held on January 2, 2007.

ADD-ON: REQUEST AND COMMUNICATION: Mr. Murphy Allison

## ADOPTION OF AGENDA

Upon motion by Councilmember Jones, seconded by Councilmember Huffman, it was resolved unanimously to adopt the agenda with the add-on.

## CONSENT AGENDA:

- A) To approve a contract with Alamance County and the Town of Green Level for animal services.
- B) To set a date of public hearing for February 6, 2007, to receive citizen comments on the housing and neighborhood improvement needs in low and moderate-income areas and to propose activities to address these identified needs in the upcoming fiscal year.
- C) Budget Amendment 2007-25 - Replacement - Christmas Decorations

### BA2007-25

#### Increase Revenues:

010-39398-0000	Appropriated Fund Balance	\$ 6,000
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#### Increase Expenditures:

010-55553-3300	Departmental Supplies	\$ 6,000
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Upon motion by Councilmember Jones, seconded by Councilmember Huffman, it was resolved unanimously to approve the foregoing consent agenda.

## NEW BUSINESS:

### ITEM 2: CORRIDOR/FUNCTIONAL DESIGN STUDY FOR NC HIGHWAY 62 AREA

Mayor Ross announced that the City Council would consider approving a contract for a Corridor/Functional Design Study for the NC Highway 62 area to be performed by the engineering firm of Stantec Consulting Services, Inc. The lump sum fee for the study is \$55,862.56. Planning 104 Grant Funds will provide 80 percent of the funding, which leaves a balance of approximately \$11,172.51 for the City to provide. This amount was allocated in the current budget.

Planning Director Robert Harkrader stated that this was a functional design study to be performed through our MPO. Mr. Harkrader introduced Mike Nunn, MPO Director.

Mr. Nunn stated that this was a continuation of a series of projects that the MPO conducted and had performed over the past four to five years. He stated that this study would have three areas of focus:

1. Bonnie Lane/Eric Lane area
2. Connection of Tucker Street area to the NC 62 Corridor
3. Ramps to I-85 and traffic signal operations

Mr. Nunn stated that the study will look at all three items and make both short and long-term recommendations for improvements. He stated that the project would be complete in July 2007, and that he would bring information back to the Council and to the Transportation Advisory Committee. He stated that Stantec Consulting Services, Inc., located in Raleigh, would be conducting the study and that this company had performed studies in Graham, Gibsonville and Elon.

Upon motion by Councilmember Huffman, seconded by Councilmember Jones, it was resolved unanimously to approve the agreement for the NC Highway 62 area design study.

#### REQUEST AND COMMUNICATION:

#### ITEM 3: MR. MURPHY ALLISON - JUNKED MOTOR VEHICLES

Mr. Murphy Allison, Columbia Avenue, requested to address the City Council concerning junked motor vehicles. Mr. Allison stated that junk vehicles had been brought and parked in his neighborhood. Mr. Allison stated that one particular vehicle looked like it had run head-on into a brick wall and had been sitting for over three months. Mr. Allison stated that he witnessed another vehicle that had been left unattended for nine months. Mr. Allison stated that he had several conversations with Grant Andrews, Inspections Division, pertaining to the City's ordinance that allowed licensed vehicles to remain on the property. He stated that this particular vehicle was a hazard to the small children who play in and around the vehicle. Mr. Allison asked the Council for tougher regulations concerning junk cars.

Councilmember Jones stated that the need was to focus on inoperable cars and that in this case, the car was inoperable, that no repairs had been made and the only reason it was still legal was because it was licensed under the City's ordinance.

Mr. Allison stated that he did not have a problem with anyone who wanted to go on their own property and work on their vehicles.

Planning Director Harkrader stated that the City regulated junk vehicles through zoning and through the general Code of Ordinances. He stated that the City clearly had regulations that limited the number of inoperable vehicles without license plates, which was two, and that they must be located in the rear of the building. Mr. Harkrader stated that when there were inoperable vehicles in the public right-of-way staff worked with Chief Gauldin and the Police Department in removing them. Mr. Harkrader stated that if a vehicle had license plates and was titled that under the present ordinance it would be difficult to have those vehicles towed and the City would have to establish that the vehicle was inoperable. Mr. Harkrader stated that if a vehicle had been sitting and had current license plates and an inspection sticker that it would be difficult under the present ordinance to deal with that particular vehicle.

Councilmember Wall stated that the Council needed to look at the ordinance. He stated that he did not blame Mr. Allison for being upset.

Mr. Harkrader stated that his staff had just become aware of this and would look into it. He stated that Mr. Allison had talked to Mr. Andrews at the end of last week.

Councilmember Wall asked if this was the first time staff had been notified about this complaint.

Mr. Allison responded yes to notifying City staff last week. He stated that he was not speaking for Columbia Avenue alone but that he was speaking for any neighborhood that has these cars just sitting as junk.

Councilmember Jones stated that he would like to turn this request over to the Inspections Department and the City Manager to see what could be done to tighten up the ordinance. Councilmember Jones stated that two inoperable vehicles in this day and age is too many in a yard and even though the City's ordinance states that it had to be behind a house or in an

enclosed garage that the appropriate thing to do, since this had just come before the Council today, would be to let the Inspections Department look at it, make some recommendations and be in contact with Mr. Allison.

PUBLIC COMMENT PERIOD:

There were no public comments.

ADJOURN:

Upon motion by Councilmember Huffman, seconded by Councilmember Wall, it was resolved unanimously to adjourn.

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Jondeen D. Terry  
City Clerk